



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1616  
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#12  
7-29-03  
[Signature]

In re Application of:

Hegele-Hartung et al.

Examiner: B. Badio

Serial No.: 10/083,685

Group Art Unit: 1616

Filed: February 27, 2002

Title: USE OF ER $\beta$ -SELECTIVE LIGANDS FOR REGULATING FERTILITY AND  
AND COMPOUNDS USEFUL THEREFOR

**REPLY TO RESTRICTION REEQUIREMENT**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office action dated June 19, 2003, applicants hereby elect Group I, with traverse.

It is applicants' intention to have claim 1 examined in its full scope. The patentability of this claim is based on the recitation therein of a new use for ER $\beta$ -selective ligands. This inventive concept should be examined in its full scope. Whereas the Examiner has informed Ms. Nicole Kinsey of the undersigned law firm that the compounds of claim 12 have been found to be patentable themselves, this application is drawn to the differently worded invention of claim 1. The Examiner has given no reason why it would be burdensome to examine the full scope of claim 1, irrespective of the novelty of any particular compounds. It is not clear whether the Examiner still needs an election of species in view of her determination that the full scope of claim 12 is allowable; however, for the record, applicants hereby elect the species of Example 1.

**CERTIFICATE OF MAILING**

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SCH 1803.

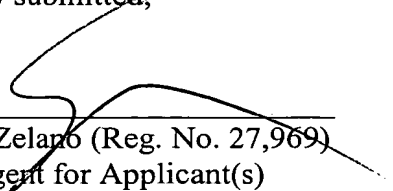
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Name: Blanca B. Smith

Signature: Blanca B. Smith

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

  
\_\_\_\_\_  
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**FILED: July 21, 2003**

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